

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America)

v.)

Jose DE JESUS)
YOB: 1976 U.S.Citizen)Case No. M-21-1425-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 23, 2021 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 United States Code 922(g)(1)

Unlawful to possess a firearm and ammunition which has previously traveled in or affected interstate commerce, after having been convicted in a court of law of a crime punishable by imprisonment for a term exceeding one year.

United States District Court
Southern District of Texas
FILED

JUN 29 2021

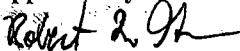
Nathan Ochsner, Clerk

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.

Approved by AUSA Robert Guerra

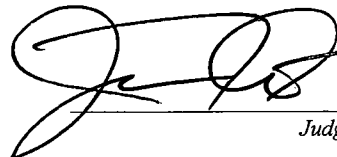


Complainant's signature

Steven Medrano, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 6/29/21 - 4:12 p.m.

Judge's signature

City and state: McAllen, Texas

Juan F. Alanis, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

1. Jose DE JESUS was convicted of a crime punishable by a term of imprisonment for a term exceeding one year on the charge of Conspiracy to Transport Undocumented Aliens in the Southern District of Texas, Corpus Christi Division, in case number 2:16CR00459-02. DE JESUS was sentenced by US District Court Judge Nelva Gonzales-Ramos on September 7, 2018.

2. On June 23, 2021, the U.S. Marshals Service arrested DE JESUS for violating Federal Probation. DE JESUS' personal belongings included a room key to the Holiday Inn Express and Suites. An investigation revealed that DE JESUS rented room #410 at the Holiday Inn and Suites in Pharr, Texas on Sunday, June 20, 2021 for three (3) nights and was expected to check out on Wednesday, June 23, 2021 by 12:00PM. Following hotel policy, hotel staff entered room #410 and collected DE JESUS' personal items because DE JESUS had not extended his stay. Pursuant to policy, the inventory of the room was video recorded, and the items recovered were secured in the manager's office.

3. As hotel staff were collecting DE JESUS' personal items a Glock, model 23, .40 caliber pistol fell out of a black nylon bag. The Glock pistol was loaded with a magazine containing thirteen (13) rounds of .40 caliber ammunition.

4. On June 25, 2021, US Magistrate Judge J. Scott Hacker signed a warrant authorizing ATF agents to seize the surveillance footage from the Holiday Inn as well as to seize the personal items recovered from room #410 including the black nylon bag and the firearm along with its magazine and ammunition. ATF Agents reviewed the surveillance camera footage and observed DE JESUS carrying the black nylon bag into the hotel. This bag is the same bag collected by hotel staff from room #410 which concealed the firearm in DE JESUS' possession. Agents

searched the black nylon bag and discovered multiple official documents identifying DE JESUS which further corroborate his ownership of the bag and the firearm.

5. Because DE JESUS has been convicted of a crime punishable by a term of imprisonment exceeding one year, he is prohibited from possessing a firearm and ammunition under 18 U.S.C. 922.

6. The firearm and ammunition were examined by an ATF Interstate Nexus agent and was determined to be have been manufactured outside of the State of Texas and had thus moved in and effecting interstate commerce.